

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT application of )  
Tohru NATSUME et al. )  
International Application No. PCT/JP2004/018179 ) Confirmation No. 8384  
U.S. Application No. 10/581,969 ) Group Art Unit: 1632  
Filed: June 7, 2006 )  
For: NOVEL INTERACTION BETWEEN PROTEINS, )  
AND THERAPEUTIC AGENT FOR DISUSE )  
MUSCULAR ATROPHY OR METHOD )  
ASSOCIATED WITH DISUSE MUSCULAR )  
ATROPHY TAKING ADVANTAGE OF NOVEL )  
INTERACTION )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

Sir:

Applicants respectfully submit this Response to the Notification of Defective Response mailed February 11, 2008 (hereinafter the "Notification") for the above-captioned application. Applicants respectfully submit that this Response to the Notification is filed within one (1) month from the mail date of the Notification, therefore no additional fees are required for entry of this Response. However, in the event of any variance between the amount enclosed and the fees determined by the United States Patent and Trademark Office ("USPTO"), including fees for petition(s) for extension of time, please charge or credit any such variance to the undersigned's **Deposit Account No. 50-2478**.

The Notification indicated that a copy of the sequence listing in computer readable form had not been submitted. Applicants respectfully point out that a copy of the "Sequence Listing" in computer readable form, as required by 37 C.F.R. § 1.821 (e) and Statement Under 37 CFR 1.821 (f) were previously submitted on April 26, 2007 to the U.S. Patent and Trademark Office

(USPTO), see the attached copies of the date -stamped receipt from the USPTO and Submission of Sequence Listing and Statement Under 37 C.F.R. 1.821.

Nevertheless, in the interest of expediting prosecution and as a courtesy, Applicants submit herewith a copy of the "Sequence Listing" in computer readable form as required by 37 C.F.R. § 1.821 and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written sequence listing and includes no new matter.

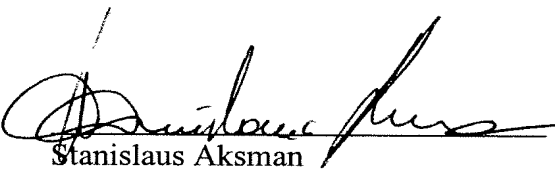
Should the Examiner believe that any issues remain, the Examiner is invited to contact the Applicants' undersigned representative to discuss and resolve such issues.

Respectfully submitted,

Roberts, Mlotkowski & Hobbes P.C.

Dated: February 27, 2008

By:

A handwritten signature in black ink, appearing to read "Stanislaus Aksman", written over a horizontal line.

Stanislaus Aksman  
Registration No. 28,562

Customer No. 25570

Roberts Mlotkowski & Hobbes P.C.  
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UNITED STATES PATENT AND TRADEMARK OFFICE

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|  |                       |   |
|--|-----------------------|---|
| U.S. APPLICATION NUMBER NO.  | FIRST NAMED APPLICANT | ATTY. DOCKET NO.                                |
| 10/581,969   | Tohru Natsume         | 039371-17                                       |
| 25570<br>ROBERTS, MLOTKOWSKI & HOBBS<br>P. O. BOX 10064<br>MCLEAN, VA 22102-8064 |                       | INTERNATIONAL APPLICATION NO.<br>PCT/JP04/18179 |
|  |                       | IA. FILING DATE<br>12/07/2004                   |
|  |                       | PRIORITY DATE<br>12/08/2003                     |

CONFIRMATION NO. 8384  
371 FORMALITIES LETTER

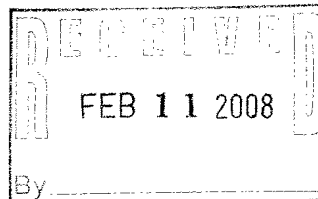


Date Mailed: 02/11/2008

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 06/07/2006
- Copy of the International Search Report filed on 06/07/2006
- Oath or Declaration filed on 04/30/2007
- Biochemical Sequence Listing filed on 04/30/2007
- Request for Immediate Examination filed on 06/07/2006
- U.S. Basic National Fees filed on 06/07/2006
- Priority Documents filed on 06/07/2006



Received on 2-11-08  
Docketed By DB  
Verified by \_\_\_\_\_  
Roberts Mlotkowski & Hobbes PC

Applicant's response filed 04/30/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 02/26/2007 have not been completed.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951

- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

FREDERICK SMITH

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Telephone: (703) 308-9140 EXT 210

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

This will acknowledge receipt of the following:

1. Transmittal Letter to the United States Designated/Elected Office (3 pages)
2. Copy of Notification of Missing Requirements (2 pages)
3. Declaration and Power of Attorney for Patent Application (3 pages) (2 Documents)
4. Application Data Sheet (4 pages)
5. Submission of Sequence Listing and Statement Under 37 CFR 1.821
6. Sequence Listing (2 pages)
7. Computer Readable Form (CRF) Copy of the Sequence Listing
8. Information Disclosure Statement w/Form PTO-1449 (3 pages) and cited refs. (5 NPL)
9. Certificate of Mailing identifying each of the above

in re PATENT Application of:

Inventor(s): Tohru NATSUME et al.

Serial No. 10/581,969

Title: NOVEL INTERACTION BETWEEN PROTEINS, AND THERAPEUTIC  
AGENT FOR DISUSE MUSCULAR ATROPHY...

**1AP12 Rec'd PCT/PTO 30 APR 2007**



**Due Date: 4/26/2007**

**Docket No. 039371-17**

TWC/SA/slt

Date: 4/26/2007

**PLEASE DATE STAMP AND RETURN**

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

In re NEW PATENT Application of )  
Tohru Natsume )  
Application No. 10/581,969 )  
Filed: June 7, 2006 )  
National Stage of )  
International Application No. PCT/JP04/18179 )  
International Filing Date: December 7, 2004 )

For: NOVEL INTERACTION BETWEEN PROTEINS, AND THERAPEUTIC AGENT FOR  
DISUSE MUSCULAR ATROPHY OR METHOD ASSOCIATED WITH DISUSE  
MUSCULAR ATROPHY TAKING ADVANTAGE OF NOVEL INTERACTION

**SUBMISSION OF SEQUENCE LISTING AND  
STATEMENT UNDER 37 CFR 1.821**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted in accordance with 37 CFR 1.821(c) and (e) is a paper copy of the  
Sequence Listing set forth in the above-identified application.

Also submitted in accordance with 37 CFR 1.821(f) is a labeled diskette, containing  
computer readable copy of this Sequence Listing.

**STATEMENT UNDER 37 CFR 1.821(f)**

Pursuant to 37 CFR 1.821(f), I the undersigned attorney for Applicants, hereby state  
that the sequence listing information recorded in computer readable form is identical to the  
written on paper sequence listing.

Respectfully submitted,

Date: *April 4, 2007*

*Tohru Natsume*  
\_\_\_\_\_  
Tohru Natsume